Supreme Court, U.S.
FILED
APR 11 1991
OFFICE OF THE CLERK

Ilse Heinemeyer,Pro Se
1380 Terrill Rd.
Scotch Plains,N.J. 07076
(908) 322-1788

SUPREME COURT OF THE
UNITED STATES
January Term 1991
No.: 90-1215

ILSE HEINEMEYER,Executrix of the Estate of Frank Grund,
Petitioner,
vs.
JOSEPH P.O'DONNELL,
Respondent.

PETITIONER'S REPLY BRIEF TO RESPONDENT's BRIEF IN OPPOSITION TO PETITIONER'S PETITION FOR WRIT OF CERTIORARI

Dated April 11,1991

PETITIONER'S REPLY BRIEF

The statements on the respondent's brief are incorrect.

The underlying case was medical malpractice, not legal as stated. The jury was charged with legal only and not to consider the underlying medical malpractice at all. Mr. O'Donnell had all my medical records and medical research records in his possession for over two and a half months. He violated not only the whole judicial system but my constitution rights, when he allowed the Court to sign an ex parte order dismissing the medical malpractice case while he had position of the file and the file was under his control, and he did not notify me until two days after the order was signed, that he was not taking the case.

The case was tried five days, not seven days.

The verdict of "No cause of action" against the attorney in the legal malpractice was entered on July 6, 1989. A Motion was filed by Petitioner "For Leave To File Notice of Appeal"on Novebmer 13, 1989. This was filed from my last moving paper with the Court below, which was October 13, 1989. Motion was denied on Jan.25,1990.

On February 8, 1990, a Motion for Reconsideration was filed, this was denied on March 1, 1990.

On page two, second paragrpah, the date was not July 1, 1990, The date was on March 20, 1990 a Petition of Certification before the N.J. Supreme Court, was filed by me, denied on July 10, 1990.

Next paragraph, the date was not November 1, 1990, Motion for Reconsideration was filed on July 23, 1990, denied by order dated October 30, 1990.

Mr. O'Donnell is responsible for all his acts and conduct for his unprofessional, unethical and outrageous conduct. The initial failure to perform his duty in reckless disregard of the consequences created the Legal malpractice case.

I was not responsible for the dismissal of the medical malpractice case, or the Trial Court handling of it. The request in the Legal malpractice complaint requested Jury of Twelve.

As for protecting the non-litigating beneficiary she has not and will not share in the legal expenses.

The Jury was prejudiced by the defendant doctors video tapes, since no rebuttal testimony with proof of evidence was heard by the Jury. One of the video's was not shown, which I specifically requested be shown.

The Ethics investigator's report stated the case was dismissed With prejudice. Mr. O'Donnell with his blatant negligence caused the medical malpractice case to be lost. Therefore, to protect Plaintiff/Petitioner's rights a legal malpractice suit was filed. In essence to protect estate since the medical malpractice case was gone.

The respondent statement "In fact, N.J.S.A. 2A:170-78 renders the unauthorized practice of law a disorderly persons offense". That is against everything the Constitution stands for. Even a prisoner who committed a criminal offense is allowed

the"unauthorized practice of law". In fact they have there own law library.

All issues raised by Petitioner are repugnant to the Constitution. Testing the rights of individuals is in the United States Supreme Court. The Fourteenth Amendment provides for equal protection. This system is set up to overturn a precedent.

Judicial enforcement of ethical obligations of attornies violated the Constitution in the circumstances presented. Proof of evidence was sent to the Attorney Ethics Office. This is well documented in my appeal process.

Respectfully submitted,

Ilse Heinemeyer

Ilse Heinemeyer,Pro Se

April 11, 1991